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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

08 JUN 25 AM 10:58

UNITED STATES OF AMERICA,

Plaintiff,

v.

Armando LOPEZ-Robles,

Defendant(s)

Magistrate Case No.

'08 MJ 1947

Ea

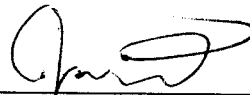
COMPLAINT FOR VIOLATION OF

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)  
Transportation of Illegal  
Aliens

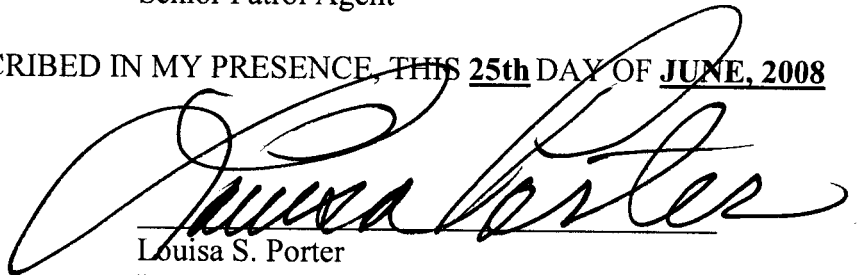
The undersigned complainant, being duly sworn, states:

On or about **June 24, 2008**, within the Southern District of California, defendant **Armando LOPEZ-Robles** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Ruben CASTILLO-Garcia, Mario JUAREZ-Perez, and Pedro GARCIA-Perez** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

James Trombley  
Senior Patrol AgentSWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 25th DAY OF JUNE, 2008


Louisa S. Porter

UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:****Armando LOPEZ-Robles**

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**PROBABLE CAUSE STATEMENT**

Furthermore, the complainant states that **Ruben CASTILLO-Garcia, Mario JUAREZ-Perez, and Pedro GARCIA-Perez**, are citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On June 24, 2008, Agent A. Buxman was performing line watch duties in Jacumba California. This area is approximately 25 miles east of the Tecate, California Port of Entry and lies directly on the U.S/Mexico International Border. Agent Buxman was assigned to operate the thermal infrared night scope. Agent Buxman positioned his scope at a summit over looking the O'Neil Valley area. From this position Agent Buxman was able to observe the International Border from Carries Mountain range to the town of Jacumba. This area is well known corridor for alien and narcotics smuggling do to the fact there is no border fence at the top of Carries Mountain and its easy access to Interstate 8 and Old Highway 80.

At approximately 1:25 a.m., Agent Buxman observed a vehicle through the thermal infrared scope approximately half way down of Carries Mountain on a road known as "Center Cut Extension." This is a Jeep trail approximately half a mile north of the U.S/Mexico International Border and extends from the base of O'Neil Valley to the top of Carries Mountain. Agent Buxman alerted agents in the field that an individual was guiding the vehicle on foot. At that time Agents D. Breier, and A. Valasquez were operating a hand held thermal infrared scope from an elevated point. Agent Breier was also able to observe the vehicle westbound on the Center Cut Extension. Agent Breier advised via his service radio he could see the vehicle was traveling with its lights out. A few moments later Agent I. Couch who was on foot near the Center Cut Extension checking the area for alien traffic saw a black Ford F-250 drive by him with its lights out.

Agent Buxman continued surveillance of the F-250 and advised the agents that the F-250 was now traveling at a high rate of speed across Old Highway 80. Agent A. Brown located at Jacumba Peak operating a thermal infrared night scope relayed to Agents that he could see the F-250 traveling at a high rate of speed with its lights on.

Agents Breier and Valasquez successfully deployed a controlled tire deflation device (CTDD) as the F-250 passed their location. The F-250 continued westbound at a high rate of speed. Supervisory Border Patrol Agent M. Espino requested an agent to set up a second CTDD at the west end of the Dump Cut. Agent A. Djokich positioned himself and a CCTD at the west end of the Dump Cut. Agents M. Bouchard and C. Salario arrived on scene to assist Agent Djokich with the CCTD. As the F-250 approached the agent's location it appeared to the agents that the F-250 was headed directly at them and was not slowing down. Agents Bouchard, Salorio, and Djokich all raised their weapons at the F-250 and its driver. At the last possible moment the driver turned the F-250 away from the agents and drove over the CCTD.

The F-250 turned southbound on Carrizo Gorge Road to Old Highway 80. The F-250 then turned right on Old Highway 80, nearly colliding with a marked Border Patrol vehicle. At this time marked Border Patrol vehicles where behind the F-250 traveling westbound on Old Highway 80 with emergency lights and sirens activated.

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**CONTINUATION OF COMPLAINT:**  
**Armando LOPEZ-Robles**

At this time Agent G. Pettigrew was traveling westbound on Old Highway 80. Agent Pettigrew saw the F-250 come up behind his marked Border Patrol vehicle. As the F-250 attempted to pass Agent Pettigrew, the F-250 side swiped Agent Pettigrew's vehicle and continued westbound on Old Highway 80. The driver of the F-250 proceeded at 40 mph in and out of the oncoming traffic lane and on the sidewalk through the 25 mph zone in the town of Jacumba. The driver of the F-250 was straddling the double yellow line which caused a vehicle to drive up a small sidewalk to avoid getting struck.

A few moments later the driver of the F-250 lost control of the truck and crashed into an embankment at the 33.5 mile marker on Old Highway 80. The driver of the truck, later identified as the defendant **Armando LOPEZ-Robles**, was seen running from the driver's side of the truck. Agent G. Suarez identified himself as a United States Border Patrol Agent and gave chase. After a short foot chase and struggle, Agent Suarez was able to take the defendant into custody.

Agents approached the F-250 identifying themselves as United States Border Patrol Agents and questioned the passengers in the truck as to their immigration status. They all stated that they were Mexican citizens without any documents that would allow them to stay or remain in the United States legally. They also stated that they had recently come across the international border illegally. At approximately 2:26am, all twenty two individuals, including the defendant, were placed under arrest and transported to the Boulevard Border Patrol Station for processing.

**MATERIAL WITNESSES STATEMENTS:**

Material witnesses **Ruben CASTILLO-Garcia**, **Mario JUAREZ-Perez**, and **Pedro GARCIA-Perez**, agree in summary that they are citizens and nationals of Mexico illegally present in the United States. The material witnesses stated that they were to pay \$2,500.00 to \$3,500.00 (USD) to be smuggled into the United States. Material witnesses Mario JUAREZ-Perez and Pedro Garcia-Perez were shown a photographic line up and were able to identify the defendant **Armando LOPEZ-Robles** as the driver of the vehicle.